

REMARKS

Claims 1-18 remain pending. Claims 8 and 9 have been rewritten in independent form. The remaining claims have been amended. Reconsideration of this application is requested.

Applicant first addresses the rejection of claims 8 and 9 under §102 in view of Wilcox. The rejection is traversed. In claim 8, the cam shaft is the same shaft that “extends beyond said housing to join with one of said main part and said flip part.” This feature contributes to the ability of the hinge of the invention to be self-contained, and assembled separately from the mobile communication device including a main part and a flip part. Wilcox, in contrast, discloses a complicated hinge that must be assembled when the phone is assembled as its assembly relies upon portions of the main part (such as the knuckle 113, the knuckle 115 and the button 311). See, e.g., column 6, line 37 et seq. The examiner identifies the shaft 307, but this shaft does not join with either of the main part or the flip part, it instead interfaces with the button 311 that can move it axially to cause it to disengage the leaf spring 309. It is the key 341 in Wilcox on a separate shaft 317 that engages the “main part.” See, e.g., column 6, lines 4-36.

Regarding claim 9, the housing limitation is not met. The housing defined in claim 9 creates a self-contained hinge forming “a separate part that may be inserted into an opening of one of said main part and said flip part”. The housing 325 in Wilcox identified by the examiner does not meet this limitation. The housing 325 is not a separate part, nor is it inserted into either of the flip part or main part. As described in column 6, line 37, et seq., the hinge 301 of Wilcox is assembled when the phone is assembled. This is not a separate

part, and does not permit, for example, a vendor to send a pre-assembled hinge to the manufacture of a radio telephone.

The remaining rejections have been rendered moot by the amendments to independent claims 1, 12 and 17. Wilcox shows a hinge that is substantially different from the present embodiments. The examiner applied Wilcox's "release and position mechanism 303", which does not form a complete hinge, to the claimed hinge. The "release and position mechanism 303" is poorly suited to carry the brunt of the duty required by a portable device hinge, and Wilcox makes use of the separate opening mechanism 305 for this duty. Applicant expedites prosecution by highlighting these substantial dissimilarities through the amendments to the independent claims. The interpretation given the claims as original written is not one that would have been applied by artisans, as the "release and position mechanism 303" in Wilcox is unsuitable for use as a hinge.

With reference to page 4, line 15 et seq. of the instant specification, and FIG. 2, the amendments clearly distinguish from the interpretation of the claims (unintended by Applicant) that had been given by the examiner. Each of the claims now aligns the length of the leaf spring with the axis of the cam shaft, a feature necessary to provide a useful hinge that can service the open and close functions of typical flip phones, for example. This allows for a sufficient leaf spring – cam shaft contact region to provide the open and close resistance necessary for hinge operation. Wilcox's "release and position mechanism" does not meet this limitation.

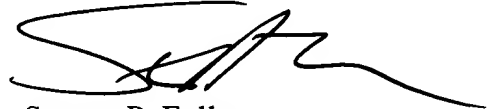
The dependency of claim 6 has been changed to claim 1. The feature of claim 6, requiring the ridge to extend almost the entire length of the leaf spring is also not met by Wilcox. The axis of element 307 in Wilcox is perpendicular to the length of the leaf spring 309, and includes a ridge that contacts the leaf spring only in a small center portion across its width.

For all of the above reasons, Applicant believes that the application is now in condition for allowance, and respectfully requests notice of the same. Should the examiner believe that outstanding issues exist, the examiner is invited to contact the undersigned attorney at the below listed number.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read 'S. Fallon', with a long horizontal flourish extending to the right.

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June 15, 2004

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